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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/710,545	07/20/2004	THOMAS D. BELANGER JR	81102077	4544
7590	09/12/2005			EXAMINER
ATZ & ATZ, P.C. 28333 TELEGRAPH ROAD SUITE 250 SOUTHFIELD, MI 48034			PATEL, HARSHAD C	
			ART UNIT	PAPER NUMBER
			2839	

DATE MAILED: 09/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/710,545	BELANGER JR, THOMAS D. 	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 8/22/05.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-16 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1 - 3, 7 and 11-15 is/are rejected.
 7) Claim(s) 4 - 6, 8 - 10 and 16 is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 - 3, 7, 11 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by APA instant fig 2.

Regarding claims 1, 11 and 15 Admitted Prior Art (APA), instant fig 2, discloses a multipurpose power point comprising, a cylindrical terminal housing 12 with an open end and a closed end, a center terminal (not shown) being adapted for making contact with a power consuming device 34; at least one detent 22 having a first end attached to the terminal housing 12 and a second end adapted for subjecting a power consuming device 34 inserted into the terminal housing to both radially and axially directed forces and an overtravel preventer attached to an outer housing portion (not numbered) the power point, for engaging the at least one detent 22 and for subjecting the detent to a radially inwardly directed force sufficient to prevent the detent from deforming plastically in response to an opposing force placed upon the detent by the power consuming device or by the combination of side terminal and retention contact of accessory power plug.

Regarding claims 2 and 3, APA, instant fig 2, discloses the accessory power plug 34 that is an ignitor plug and adapted to be wired to an electrically powered device.

Regarding claim 7, APA, instant fig 2, discloses outer housing (not numbered) comprising a cover (22), which is concentric with terminal housing (rear portion) and a cover is having a necked down section.

Regarding claim 13, APA, instant fig 2, discloses a multipurpose power point comprising at least one detent having a lance 22 with a spring portion (portion towards open end) cantilevered from terminal housing, end portion of the element 22 is taken as a latch portion of the housing (overtravel preventer) come into contact with latch portion, in response to the insertion of an accessory power plug, before the spring portion has been plastically deformed by the power plug.

Claim Rejections - 35 USC § 103

3. Claims 12 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over APA in view of Kline (2,310,029).

APA discloses all the elements of claims 12 and 14. However does not disclose terminal housing has plural detents or diametrically opposed detents.

Kline discloses the terminal housing with two diametrically opposed detents at 10a (fig 1) to modify APA and provide a plurality of detents as suggested by Kline.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the APA and provide a plurality of diametrically opposed detents, as suggested by Kline in order to achieve the higher retention force.

Allowable Subject Matter

4. Claims 4 - 6, 8 - 10 and 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 4 recites "the overtravel preventer comprising an integral formed rib extending axially along an inner portion of the outer housing such that the rib will contact the detent so as to limit deflection of the detent in response to forces imposed upon the detent by the power consuming device."

Claim 5 recites "the overtravel preventer comprising a simply supported, integral ribbon extending axially along, but radially separated from, the detent, and with the integral ribbon having a section profile which approximates the section profile of the detent."

Claim 6 recites "the overtravel preventer comprising an integral, cantilevered ribbon extending axially along, detent, and with the ribbon having a section profile which matches the section profile of the detent but radially separated from the detent."

Claim 8 recites "the overtravel preventer comprising a cantilevered integral ribbon extending axially along, but radially separated from, the detent, with the ribbon having an integral retention tab formed, on the unsupported end of the ribbon."

Claim 9 recites, "the overtravel preventer comprising an inwardly extending stop upset from the outer housing and positioned so as to prevent outward movement of the detent beyond a predetermined position."

Claim 10 recites "the overtravel preventer comprising an inwardly extending stop upset from and partially separated the outer housing and positioned so as to prevent outward movement of the detent beyond a predetermined position. "

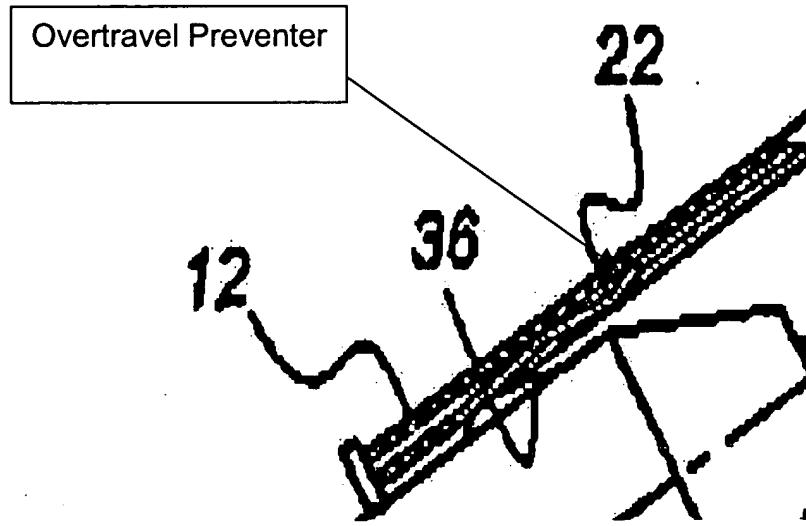
Claim 16 recites, "the overtravel preventer comprises a ribbon having a first end attached to an outer surface of the terminal housing and a second end for engaging the at least one detent."

These limitations are not disclosed or suggested by any of the references.

Response to Arguments

5. Applicant's arguments filed 8/22/05 have been fully considered but they are not persuasive.

The Applicant made change to Figure 2, amended the specification and claims 5 and 14. Therefore, the Examiner has withdrawn the objection/rejection to the drawing and the specification. As to the argument that "Figure 2 clearly shows a detent 22, which has no support whatsoever offered by shell of the lighter;" the Examiner respectfully disagrees. As shown in the figure 2 below, the tip of detent 22 will touch outer wall 12, upon insertion of a power consuming device and thus the outer wall will act as overtravel preventer and will exert radially inwardly directed force to prevent the detent from deforming plastically in response to an opposing force placed upon the detent by the power consuming device and thus satisfying the limitation of Claim 1 (and similar limitation in Claims 14 and 15). It is also noted that the power-consuming device is not positively recited and therefore, a power-consuming device, having larger in size than shown in the figure 2, can be inserted into the cavity, thereby reducing the



clearance between the tip of detent 22 and inner surface of the outer wall of the shell, thereby causing the tip to be in contact with the inner surface of the outer shell and causing radially inward force exerted by the outer shell wall onto the detent 22. The Applicant has also argued "the prior art device is prone to failure, which Applicant's invention is intended to remedy." The Examiner agrees that the Applicant is intending to improve upon the failure of the prior art device in some respect; however, the claim in as recited now, are broad enough to be read on the prior art device and hence the claims have been rejected. Applicant needs to amend the claims, so that the claims define over the prior art.

Conclusion

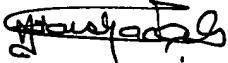
6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harshad C. Patel whose telephone number is 571 272 8289. The examiner can normally be reached on M - F; 8.00 AM TO 5.00 PM.

8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, T. C. Patel can be reached on 571 272 2098. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner
HCP 
9/7/05


TULSIDAS C. PATEL
SUPERVISORY PATENT EXAMINER